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8                   **UNITED STATES DISTRICT COURT**  
9                   **CENTRAL DISTRICT OF CALIFORNIA**

10 DONALD R. DOKINS,                    )  
11                                    Petitioner,                    )  
12                                    v.                                    )  
13 WARREN L. MONTGOMERY, Warden,    )  
14                                    Respondent.                    )  
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NO. CV 17-1269-PA (AS)

**ORDER ACCEPTING FINDINGS,**

**CONCLUSIONS AND RECOMMENDATIONS OF**

**UNITED STATES MAGISTRATE JUDGE**

18           On February 25, 2019, this Court granted Petitioner's application  
19 to reopen Petitioner's case, vacate judgment, and allow Petitioner to  
20 file objections to the Report and Recommendation of the United States  
21 Magistrate Judge. Petitioner filed his objections on April 11, 2019.

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23           Pursuant to 28 U.S.C. section 636, the Court has reviewed the  
24 Petition, all of the records herein and the attached Report and  
25 Recommendation of United States Magistrate Judge. After having made a  
26 *de novo* determination of the portions of the Report and Recommendation  
27 to which objections were directed, the Court concurs with and accepts  
28 the findings and conclusions of the Magistrate Judge. Petitioner's

1 objections are simply reassertions of arguments made in the petition.  
2 These arguments were addressed and rejected by the Report and  
3 Recommendation and do not cause the Court to reconsider its decision to  
4 accept the Magistrate Judge's conclusions and recommendations. Moreover,  
5 Petitioner's request for an evidentiary hearing is denied since the  
6 existing record is sufficient to resolve Petitioner's claims. See  
7 Schriro v. Landrigan, 550 U.S. 465, 474 (2007)

8  
9 **IT IS ORDERED** that Judgment be entered denying the Petition and  
10 dismissing this action with prejudice.

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12 **IT IS FURTHER ORDERED** that the Clerk serve copies of this Order,  
13 the Magistrate Judge's Report and Recommendation and the Judgment  
14 herein on counsel for Petitioner and counsel for Respondent.

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16 **LET JUDGMENT BE ENTERED ACCORDINGLY.**

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18 DATED: April 19, 2019

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23 PERCY ANDERSON  
24 UNITED STATES DISTRICT JUDGE  
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